

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF NURSING

IN THE MATTER OF THE SUSPENSION :
OR REVOCATION OF THE LICENSE OF : (Corrected Order)
:
KRISTAL KATMANN, RN : ADMINISTRATIVE ACTION
License No. 26NR13239200 :
: FINAL ORDER OF
: DISCIPLINE
TO PRACTICE NURSING IN THE STATE :
OF NEW JERSEY :

This matter was opened to the New Jersey State Board of Nursing (the "Board") upon receipt of information which the Board has reviewed and upon which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Kristal Katmann ("Respondent") is a Registered Professional Nurse in the State of New Jersey and has been a licensee at all times relevant hereto.

2. On or about April 27, 2013, Respondent completed and submitted an online biennial renewal for the period of June 1, 2013 to May 31, 2015.

3. Respondent was asked on the biennial renewal application whether Respondent would have "completed the required continuing education credits by May 31, 2013," referring to the biennial renewal period of June 1, 2011 to May 31, 2013. Respondent

answered "Yes" and certified that answer by submitting the online application.

4.. The Board received a flagging notice indicating that Respondent was arrested on April 29, 2014, by State Police Flemington for violation of N.J.S.A. 2C:12-1(a) (Simple Assault).

5. The Board sent a letter of inquiry requesting certain information and documents regarding the criminal matter, Respondent's nursing practice, and continuing education to Respondent's address of record in Frenchtown, New Jersey, via regular and certified mail on or about May 5, 2014. The regular mailing was not returned. The United States Postal Service track and confirm system indicates that the certified mailing was delivered and signed on May 21, 2014.

6. To date, Respondent has not responded to the Board's request for information.

CONCLUSIONS OF LAW

Respondent's failure to respond to the Board's request for information constitutes a failure to cooperate with a Board investigation, in contravention of N.J.A.C. 13:45C-1.2 and 1.3, which the Board deems professional misconduct pursuant to N.J.S.A. 45:1-21(e) and also subjects Respondent to disciplinary action pursuant to N.J.S.A. 45:1-21(h).

Pursuant to N.J.A.C. 13:37-5.3(b), nurses are required to complete a minimum of thirty (30) hours of continuing education during the preceding biennial period in order to renew their licenses. Pursuant to N.J.A.C. 13:37-5.3(f), nurses are required to maintain documentation of completion of continuing education for a period of four years after completion, and shall submit such documentation to the Board upon request.

By virtue of having failed to respond to the letter of inquiry, Respondent is deemed to have failed to demonstrate, to the satisfaction of the Board, that Respondent completed the continuing education credits required for renewal during the biennial period of June 1, 2011 to May 31, 2013. The Board therefore finds Respondent in violation of N.J.A.C. 13:37-5.3(b) and 13:37-5.3(f), which in turn subjects Respondent to sanctions pursuant to N.J.S.A. 45:1-21(e) and (h).

Respondent's use of dishonesty and misrepresentation during the license renewal process in falsifying her continuing education information constitutes a violation of N.J.S.A. 45:1-21(b), subjecting Respondent to sanctions.

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on October 31, 2014, 2014, provisionally suspending respondent's nursing license and imposing a reprimand and a total of \$750 in civil penalties. A

copy of the Order was served upon respondent by certified and regular mail at her address of record. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th day following entry unless respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

Respondent replied to the Provisional Order, providing most of the information originally requested by the Board's letter of inquiry. Respondent indicated that she had been unable to access documentation of continuing education she had completed for the biennial period of June 1, 2011 through May 31, 2013, but she submitted documentation of thirty contact hours of valid continuing education completed on January 25, 2015. These submissions may be applied to cure the deficiency for the 2011-2013 licensing cycle. The Board found that suspension is no longer applicable, as Ms. Katmann belatedly cooperated with the Board. However, the Board further found that the \$500 monetary penalty for respondent's initial failure to respond was

warranted, as the Board should not have to expend resources and file an order so as to obtain respondent's cooperation. Moreover, the reprimand for misrepresentation on the 2013 renewal application was also warranted, as was the \$250 civil penalty for failure to timely complete continuing education: respondent provided no documentation, such as proof of payment, of having completed any continuing education during the relevant period, and moreover continuing education providers generally are willing to provide duplicate certificates, even years after-the-fact.

ACCORDINGLY, IT IS on this 14th day of May, 2015,
ORDERED that:

1. A reprimand is hereby imposed on Respondent for misrepresentation with regard to the continuing education information on her license renewal application.


2. Respondent is hereby assessed a civil penalty in the amount of seven hundred and fifty dollars (\$750). Said penalty is an aggregate penalty, which includes a penalty in the amount of five hundred dollars (\$500) for failure to cooperate with a Board investigation and a penalty in the amount of two hundred and fifty dollars (\$250) for failing to timely complete required continuing education. Payment shall be made by certified check or money order, payable to the State of New Jersey, delivered to

George Hebert, Executive Director, State Board of Nursing, P.O. Box 45010, Newark, New Jersey 07101. Payment shall be made no later than 15 days after the entry of this order. In the event Respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.

3. The Board reserves the right to initiate disciplinary proceedings based upon any information that Respondent has provided in response to the letter of inquiry or upon any new information the Board receives.

NEW JERSEY STATE BOARD OF NURSING

By:



Patricia Murphy, PhD, APN
President